

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

UNITED STATES OF AMERICA)	
)	CRIMINAL ACTION NO.
v.)	2:19cr344-MHT
)	(WO)
WILLIE M. BURKS, III)	

ORDER

It is ORDERED that defendant Willie M. Burks, III's motion in limine (doc. no. 34) is denied in part and conditionally granted in part as outlined during the oral argument on January 8, 2021. The evidence of prior acts of shackling and the evidence of a specific use-of-force incident in 2018--the first and third categories of evidence addressed by defendant Burks's motion--will be admitted as to Count Two, subject to a limiting instruction by the court. As the government agreed in the representations made during the January 8 oral argument, the court will decide whether these two categories of evidence and the evidence of incidents where defendant Burks declined to assist inmates will be admitted as to Count One, depending on the evidence

presented during defendant Burks's testimony or on cross-examination.

DONE, this the 11th day of January, 2021.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE